REMARKS

Claims 40-75 are currently pending in the subject application and are presently under consideration. Claims 40, 42, 47, 57, 60, 64-65, 67-70, and 73-75 have been amended as shown on pp. 2-8 of the Reply.

Applicants' representative thanks Examiner Wang for the courtesies extended during the telephonic interview conducted on December 23, 2008. The Examiner was contacted to discuss the Examiner's objections and the Examiner's rejections pursuant to 35 U.S.C. §101, 35 U.S.C. §112, and 35 U.S.C. §103(a). Applicants respectfully submit that amendments to the claims have been made along the lines of this discussion. Favorable reconsideration of the subject patent application is thus respectfully requested in view of the comments and amendments herein.

I.   Objection to Claim 40

Claim 40 is objected to because of informalities cited by the Examiner. Claim 40 has been amended in line with suggestions provided by the Examiner. As such, withdrawal of this objection is respectfully requested.

II.   Objection to Claims 69 and 73 Under 37 CFR 1.75(c)

Claims 69 and 73 are objected to under 37 CFR 1.75(c), as allegedly being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 69 and 73 have each been amended into independent form as suggested by the Examiner. As such, withdrawal of this objection is respectfully requested.

III.   Rejection of Claims 40-63 Under 35 U.S.C. §101

Claims 40-63 stand rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. Independent claim 40 has been amended in line with suggestions provided during the telephone interview. As such, withdrawal of this rejection is respectfully requested as to claim 40, as well as to claims 41-63 which depend on claim 40.

IV.   Rejection of Claims 40-75 Under 35 U.S.C §112

Claims 40-75 stand rejected under 35 U.S.C §112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, claims 40-75 stand rejected for reciting "a unified configuration store," "a unified persisted information," and "common attributes for all applications," which are allegedly not adequately defined in the specification. Each of the claims reciting the aforementioned terminology have been amended in line with suggestions provided during the telephone interview. As such, withdrawal of this rejection is respectfully requested.

V.   Rejection of Claims 40-57, 59-62, and 67-69 Under 35 U.S.C. §103(a)

Claims 40-57, 59-62, and 67-69 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over US Patent Publication No. 2004/0049509 to Keller et al. (hereinafter "Keller") in view of US Patent No. 6,418,468 to Ahlstrom et al. (hereinafter "Ahlstrom"). It is respectfully submitted that Keller either alone or in combination with Ahlstrom does not teach or suggest every limitation of the rejected claims. Moreover, Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

> To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) **must teach or suggest all the claim limitations**. *See* MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (emphasis added).

Independent claims 40 and 67 generally recite a method and system for configuration management. In particular, claim 40 recites *inter alia* "a standardized configuration store that stores persisted information associated with settings for each of *a plurality of instances of an application... according to a uniform semantics scheme*...the persisted information for any one

of the plurality of instances *isolated* from persisted information for any of the remaining plurality of instances." Similarly, claim 67 recites *inter alia* storing "persisted information [associated with settings for each of *a plurality of instances of an application*] in a standardized configuration store *according to a uniform semantics scheme*, the persisted information for any one of the plurality of instances *isolated* from persisted information for any of the remaining plurality of instances." As stated in the specification, an exemplary advantage of such isolation is that "similarly named products and side-by-side installations of the same product do not interfere with each other's settings." (See Published Application, Paragraph 0010). In an exemplary implementation, "each individual application instance has an associated unique identifier that it uses to gain access to its settings." (See Published Application, Paragraph 0010).

As indicated during the telephonic interview, Keller does not teach or suggest the aforementioned novel aspects of Applicants' invention as recited in the subject claims. Keller generally relates to managing dependencies between various components of distributed computing systems. However, Keller merely teaches a resource dependency repository containing dependency information on a *per-resource basis*, which the specification defines as "dependencies between the components *within a managed resource*" (See Keller, Paragraph 0098). Moreover, nowhere does Keller teach or suggest isolating dependency information of *a particular software application* on a *per-instance basis*. Also, as noted by the Examiner, nowhere in Keller is *a uniform semantics scheme* for storing such dependency information taught or suggested.

As indicated during the telephonic interview, Ahlstrom does not cure the deficiencies of Keller. Ahlstrom generally relates to software systems that manage computer networks. However, Ahlstrom simply discloses "understanding" the configuration of a system under management so as to determine whether a particular policy is "satisfiable" and "feasible" (See Ahlstrom, Column 5, lines 53-59). Moreover, as disclosed by Ahlstrom, idiosyncratic representations of network devices' configurations are simply translated into standard forms (See Ahlstrom, Column 6, lines 54-64) so that the information could be uniformly retrieved (See Ahlstrom, Column 8, lines 44-61). However, because Ahlstrom simply teaches "understanding" such configuration information to ascertain whether a particular policy is "satisfiable/feasible," *there is no need for the system in Ahlstrom to isolate the configuration information, nor is*

such isolation taught or suggested.

Accordingly, neither Keller nor Ahlstrom discuss storing persisted information associated with settings for each of *a plurality of instances of an application according to a uniform semantics scheme* such that the persisted information for any one of the plurality of instances is *isolated* from persisted information for any of the remaining plurality of instances, as recited in each of claims 40 and 67. For at least these reasons, Keller either alone or in combination with Ahlstrom fails to obviate Applicants' invention, as recited in independent claims 40 and 67 (and claims 41-57, 59-62, and 68 which respectively depend there from, as well as independent claim 69 which includes limitations similar to claim 67). Therefore, withdrawal of this rejection is respectfully requested.

VI.   Rejection of Claim 64 Under 35 U.S.C. §103(a)

Claim 64 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Keller in view of Ahlstrom and further in view of US Patent No. 5,524,253 to Pham et al. (hereinafter "Pham"). It is respectfully submitted that Keller, either alone or in combination with Ahlstrom or Pham, does not teach or suggest every limitation of the rejected claims. Moreover, Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

Claim 64 generally recites a configuration management system. In particular, claim 64 recites *inter alia* a configuration management engine that facilitates "an *isolation* of [ ] changed persisted information *at least until a notification is received* that the changed persisted information has been committed."

As stated previously, Keller generally relates to managing dependencies between various components of distributed computing systems. However, nowhere does Keller teach or suggest isolating dependency information until a particular notification is received. As was also stated previously, Ahlstrom generally relates to software systems that manage computer networks, which includes "understanding" configuration information. However, nowhere in Ahlstrom is the isolation of configuration information taught or suggested.

Pham does not cure the deficiencies of Keller and Ahlstrom. Pham generally relates to a system for integrating existing application programs in a networked environment. However, Pham merely teaches using locally stored routines to convert an internal representation of data on

a source machine into a common data representation (CDR) format (See Pham, Column 7, lines 14-20), wherein nowhere is isolation of the CDR data taught or suggested.

Accordingly, neither Keller, Ahlstrom, nor Pham discuss "an *isolation* of [ ] changed persisted information *at least until a notification is received* that the changed persisted information has been committed," as recited in claim 64. For at least these reasons, Keller either alone or in combination with Ahlstrom and Pham fails to obviate Applicants' invention, as recited in claim 64. Therefore, withdrawal of this rejection is respectfully requested.

VII.   Rejection of Claims 74 and 75 Under 35 U.S.C. §103(a)

Claims 74 and 75 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over US Patent Publication No. 2002/0129356 to Hellerstein et al. (hereinafter "Hellerstein") in view of Keller and further in view of Ahlstrom. It is respectfully submitted that Hellerstein, either alone or in combination with Keller or Ahlstrom, does not teach or suggest every limitation of the rejected claims. Moreover, Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

Claims 74 and 75 generally recite a configuration management system and a computer-readable medium storing computer executable components of a configuration management system. In particular, each of claims 74 and 75 recite *inter alia* storing persisted information associated with settings for each of *a plurality of instances of an application according to a uniform semantics scheme*, the persisted information for any one of the plurality of instances *isolated* from persisted information for any of the remaining plurality of instances.

As indicated during the telephonic interview, Hellerstein does not teach or suggest the aforementioned novel aspects of Applicants' invention as recited in the subject claims. Hellerstein generally relates to systems and method for performing software distribution in distributed computing systems. However, Hellerstein merely teaches preparing a base software package for distribution to one or more regions of a distributed network based on either 1) dependency information indicating requisites for a service provided by the software package, and/or 2) configuration information for each of the candidate regions (See Hellerstein, Paragraph 0008). However, nowhere does Hellerstein teach or suggest preparing the software package by storing information for each of a plurality of application instances, nor does Hellerstein teach or

suggest the isolation of such instances. Also, as noted by the Examiner, nowhere in Hellerstein is *a uniform semantics scheme* taught or suggested.

Neither Keller nor Ahlstrom cure the deficiencies of Hellerstein. As stated previously, Keller generally relates to managing dependencies between various components of distributed computing systems. However, nowhere does Keller teach or suggest isolating dependency information of *a particular software application* on a *per-instance basis*. As was also stated previously, Ahlstrom generally relates to software systems that manage computer networks, which includes "understanding" configuration information. However, nowhere in Ahlstrom is the isolation of configuration information taught or suggested.

Accordingly, neither Hellerstein, Keller, nor Ahlstrom discuss storing persisted information associated with settings for each of *a plurality of instances of an application according to a uniform semantics scheme* such that the storage of persisted information for any one of the plurality of instances is *isolated* from persisted information for any of the remaining plurality of instances, as recited in each of claims 74 and 75. For at least these reasons, Hellerstein either alone or in combination with Keller and Ahlstrom fails to obviate Applicants' invention, as recited in claims 74 and 75. Therefore, withdrawal of this rejection is respectfully requested.

VIII.   Rejection of Claims 70-73 Under 35 U.S.C. §103(a)

Claims 70-73 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over US Patent Publication No. 2002/0169738 to Giel et al. (hereinafter "Giel") in view of US Patent No. 7,415,509 to Kaltenmark et al. (hereinafter "Kaltenmark"). It is respectfully submitted that Giel either alone or in combination with Kaltenmark does not teach or suggest every limitation of the rejected claims. Moreover, Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

Independent claim 70 generally recites a method of facilitating configuration management. In particular, claim 70 recites *inter alia* storing persistent information "according to a *uniform semantics scheme* so as to *isolate* information associated with each of *a plurality of instances*" of an application.

Giel does not teach or suggest the aforementioned novel aspects of Applicants' invention as recited in the subject claims. Giel generally relates to auditing a configuration of an enterprise

by collecting configuration information from field nodes and storing the information as files in a database (See Giel, Paragraph 0080). Such information, however, is limited to information "specific to the static or dynamic configuration of one or more nodes (or field computers, hardware, software, firmware, databases, storage systems, etc.) at a given point of time" (See Giel, Paragraph 0065). Moreover, nowhere does Giel teach or suggest *isolating* information associated with each of *a plurality of instances* of a particular application.

Kaltenmark does not cure the deficiencies of Giel. Kaltenmark generally relates to an operations architecture for netcentric computing systems. However, rather than isolating configurations, Kaltenmark simply discloses enforcing *an appropriate degree of standardization* across network environments in which it may either 1) not be feasible to effectively manage the environment if each client has its own unique configuration, or 2) inappropriate to give thousands of users the exact same configuration (See Kaltenmark, Column 11, lines 1-16).

Accordingly, neither Giel nor Kaltenmark discuss storing persistent information according to a *uniform semantics scheme* so as to *isolate* information associated with each of *a plurality of instances* of an application, as recited in claim 70. For at least these reasons, Giel either alone or in combination with Kaltenmark fails to obviate Applicants' invention, as recited in claim 70 (and claims 71-72 which respectively depend there from, as well as independent claim 73 which includes limitations similar to claim 70). Therefore, withdrawal of this rejection is respectfully requested.

IX.   Rejection of Claim 58 Under 35 U.S.C. §103(a)

Claim 58 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Keller in view of Ahlstrom and further in view of US Patent No. 5,960,200 to Eager et al. (hereinafter "Eager"). However, because claim 58 depends on independent claim 40, Applicants submit that this rejection is now rendered moot in view of the reasons provided for claim 40. Accordingly, Applicants submit that claim 58 is allowable for at least these same reasons, and withdrawal of this rejection is respectfully requested.

X.   Rejection of Claim 63 Under 35 U.S.C. §103(a)

Claim 63 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Keller in view of Ahlstrom, Eager, and further in view of US Patent Publication No.

2004/0083479 to Bondarenko et al.. However, because claim 63 depends on independent claim 40, Applicants submit that this rejection is now rendered moot in view of the reasons provided for claim 40. Accordingly, Applicants submit that claim 63 is allowable for at least these same reasons, and withdrawal of this rejection is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP529US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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